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PTO/SB/17p (11-04)

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PETITION FEE
Under 37 CFR 1.17(f), (g) & (h)
TRANSMITTAL

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	09/892,701
Filing Date	28 JUN 2001
First Named Inventor	Michael J. BORG
Art Unit	2176
Examiner Name	Robert STEVENS
Attorney Docket Number	10007022-1

Enclosed is a petition filed under 37 CFR 1.182 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 400 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 08-2025:

☒ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☐ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

§ 1.53(e) - to accord a filing date.

§ 1.57(a) - to accord a filing date.

§ 1.182 - for decision on a question not specifically provided for.

§ 1.183 - to suspend the rules.

§ 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.

§ 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

§ 1.12 - for access to an assignment record.

§ 1.14 - for access to an application.

§ 1.47 - for filing by other than all the inventors or a person not the inventor.

§ 1.59 - for expungement of information.

§ 1.103(a) - to suspend action in an application.

§ 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.

§ 1.295 - for review of refusal to publish a statutory invention registration.

§ 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.

§ 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.

§ 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.

§ 1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.

§ 5.12 - for expedited handling of a foreign filing license.

§ 5.15 - for changing the scope of a license.

§ 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

§ 1.19(g) - to request documents in a form other than that provided in this part.

§ 1.84 - for accepting color drawings or photographs.

§ 1.91 - for entry of a model or exhibit.

§ 1.102(d) - to make an application special.

§ 1.138(c) - to expressly abandon an application to avoid publication.

§ 1.313 - to withdraw an application from issue.

§ 1.314 - to defer issuance of a patent.

John S. Reid

Signature

John S. Reid

Typed or printed name

15 AUG 2005

Date

36,369

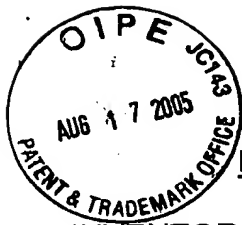
Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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~~01-FC-1462 400.00-BA~~



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTORSHIP Michael J. BORG
SERIAL NO..... 09/892,701
FILED June 28, 2001
ART UNIT 2176
EXAMINER Robert STEVENS
CONFIRMATION NO..... 4684
ATTORNEY DOCKET NO. 10007022-1
APPLICANT Hewlett Packard company
TITLE: **SYSTEM AND METHOD TO AUTOMATICALLY COMPLETE ELECTRONIC
FORMS**

PTO TRANSMITTAL LETTER AND CERTIFICATE OF MAILING

To: Mail Stop PETITION
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450


From: John S. Reid
1926 South Valleyview Lane
Spokane, WA 99212-0157
Telephone: (509) 534-5789
Fax: (509) 532-0351

Enclosed are:

1. Return Receipt Postcard (X2)
2. Transmittal Letter and Certificate of Mailing
3. Petition Fee Transmittal form (X2)
4. Petition (6 pages)

Submitted by:

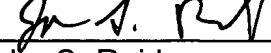
Date: August 15, 2005

By: 
John S. Reid
Reg. No. 36,369

CERTIFICATE OF MAILING

I hereby certify the items listed above as enclosed are being deposited with the U.S. Postal Service as first class mail in an envelope addressed to The Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the below-indicated date.

Date: August 15, 2005

By: 
John S. Reid

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to the Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450

Date of Deposit: August 15, 2005

Typed Name of Person Mailing Paper or Fee: John S. Reid

Signature: *John S. Reid*



PATENT APPLICATION
Docket No.: 10007022-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Inventor(s):	Michael J. Borg
Serial No.:	09/892,701
Filed:	June 28, 2001
Title:	SYSTEM AND METHOD TO AUTOMATICALLY COMPLETE ELECTRONIC FORMS
Art Unit:	2176
Examiner:	Robert Stevens
Confirmation No.:	4684

Mail Stop PETITION
Commissioner for Patents
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PETITION TO THE COMMISSIONER

SIR OR MADAM:

This communication is a Petition to the Commissioner for the action as set forth in detail herein below. This petition is being filed under the provisions of 37 CFR 1.181.

(Continued on next page.)

08/18/2005 TBESHAH1 00000015 09892701
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Docket No. 10007022-1
Petition to the Commissioner

1. Petition to the Commissioner:

The Applicant hereby petitions the Commissioner to compel the Examiner to enter, or to otherwise cause the entry of, replacement text of the Abstract of the subject Application as provided via Amendment "B" and as filed with the Office on June 22, 2005. Entry of the replacement Abstract is sought by the Applicant in order to address matter of form within the Application in preparation for Appeal to the Board.

2. Statement of the Facts:

(a) The subject Application, S/N 09/892,701, was filed with the Office on June 28, 2001.

(b) The Abstract as originally filed was generally objected to by the Examiner in the Office action dated November 29, 2004.

(c) A first version of replacement Abstract was provided by the Applicant via Amendment "A" as filed with the Office via deposit as first class mail with the United States Postal Service on February 28, 2005.

(d) The first version of replacement Abstract was objected to within the final Office action dated May 27, 2005. The Examiner stated that a new Abstract should be submitted in accordance with guidelines provided on pages 3 and 4 of that Office action.

(e) A second version of replacement Abstract was provided by the Applicant via Amendment "B" as filed with the Office via deposit as first class mail with the United States Postal Service on June 22, 2005. A copy of the second version of replacement Abstract is attached hereto as Exhibit "A". The Applicant asserts that the second version of replacement Abstract is fully compliant with MPEP § 608.01(b), and that it is fully supported at least by page 2, line 6 to page 11, line 18 of the subject Specification as originally filed.

(f) The Examiner refused to enter the second version of replacement Abstract within the Advisory Action dated July 19, 2005. The Examiner based this objection on grounds that such amendment to the Specification would require further search and/or consideration in regard to possible new matter issues.

(g) The Applicant asserts that, contrary to the Examiner's assertions, no such further search is required as the second version of replacement Abstract is completely supported by other text within the Specification as originally filed (see (e) above), and as subject to examination during prosecution.

(h) The Applicant asserts that, contrary to the Examiner's assertions, no new matter would be introduced by way of entry of the second version of replacement Abstract.

(i) A Notice of Appeal in accordance with 37 CFR 41.31 is being filed contemporaneously with this Petition. Thus, the Applicant seeks entry of the second version of replacement Abstract in order to address matters of form within the Application in preparation for Appeal to the Board.

3. Points to be Reviewed:

The Applicant submits that the points to be reviewed is/are:

(a) Whether the Commissioner should compel the Examiner to enter, or should otherwise cause the entry of, the second version of replacement Abstract within the Specification.

4. Action Requested:

The Applicant respectfully requests that the following action be taken:

(a) The Commissioner should compel the Examiner to enter, or should otherwise cause the entry of, the second version of replacement Abstract within the subject Specification.

5. Memoranda in Support of Action Requested:

The Examiner has objected to the Abstract of the Specification as originally filed. In response, the Applicant has submitted first and second versions of replacement Abstract, via Amendments "A" and "B" as cited above, respectively. In turn, the Examiner has objected to the first version of replacement Abstract and has refused to enter the second version of replacement Abstract. The Applicant contends that he has cooperated in good faith so as to resolve matters of form raised by the Examiner with respect to the Abstract of the subject Application. However, the Examiner has

consistently objected to and/or otherwise dismissed such good faith efforts by the Applicant.

The Applicant notes that MPEP 714.12 reads, in pertinent part, as follows:

5 *Once a final rejection that is not premature has been entered in an application, applicant or patent owner no longer has any right to unrestricted further prosecution. This does not mean that no further amendment or argument will be considered. Any amendment that will place the application either in condition for allowance or in better form for appeal may be entered. Also, amendments complying with objections or*
10 *requirements as to form are to be permitted after final action in accordance with 37 CFR 1.116(b).* (Emphasis added.)

Therefore, in view of the provisions of MPEP 714.12, the Applicant respectfully asserts that:

- 15 (a) The second version of replacement Abstract addresses matter of form raised by the Examiner and is in accord with the Examiner's suggested guidelines (as provided by MPEP 608.01(b));
- (b) The second version of replacement Abstract was timely filed with the Office and is in accord with 37 CFR 1.116; and
- 20 (c) The second version of replacement Abstract is fully supported by other text of the Specification as originally filed, raises no issue as to new matter, and imposes no search burden beyond a cursory review by the Examiner.

Therefore, in view of the foregoing, the Applicant respectfully petitions the Commissioner to compel the Examiner to enter, or to otherwise cause the entry of, the second version of replacement Abstract, as submitted to the Office via Amendment "B"
25 on June 22, 2005 (and as Exhibit "A" herewith), into the text of the subject Application.

6. Time for Filing Petition:

30 The MPEP specifies that a petition should be filed within two months of the Examiner's action, if adverse, on the Applicant's request for reconsideration of the objection. (See MPEP 1002.) Thus, the Applicant believes this Petition to be timely filed.

(Continued on next page.)

7. Fee:

Please charge the Assignee's deposit account no. 08-2025 for the amount of the fee for this petition as set forth in the attached Transmittal Letter.

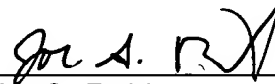
5 8. Summary:

The Applicant considers this Petition to be timely and in proper form and respectfully requests the action on the part of the Commissioner as indicated herein above.

10 Dated this 15th day of August, 2005.

Respectfully submitted,
Michael J. Borg (Applicant)

15



John S. Reid
Attorney and Agent for Applicant
Registration No. 36,369
Telephone: (509) 534-5789

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Exhibit "A" to accompany Petition to the Commissioner

The second version of replacement Abstract text, as filed with the Office on June 22, 2005, is as follows:

5 --The present teachings provide for the automated completion of electronic forms. In typical use, one or more fields are automatically identified within such a form and information corresponding to those fields is supplied from a predefined database without user intervention. Also, a user can select the range and/or nature of the information to be automatically supplied. Various user profiles can be predefined and
10 selected for automated use, such as profiles by user identity, by situational context, etc. Aspects of the invention can operate in cooperation with a web browser and can make use of source code or HTML content within a web page, or optical character recognition (OCR), in order to identify fields to be automatically completed. Furthermore, provision is made for querying the user to complete those fields that cannot be automatically
15 identified. Such user-queried information can be stored in the database for later automatic use.--

(End of Exhibit "A")